

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
BOSTON DIVISION**

UNITED STATES OF AMERICA
ex rel. James Banigan, et al.,

Plaintiffs,

v.

CIVIL ACTION No. 07-12153-RWZ

ORGANON USA INC., et al.,

Defendants.

JOINT STIPULATION OF DISMISSAL OF CLAIMS

Relator James Banigan (“Relator”) and Defendant PharMerica Corporation (“PharMerica”) file this Joint Stipulation of Dismissal of Claims and respectfully show the following:

Relator and PharMerica have reached an agreement (the “Agreement”) to resolve all claims by Relator against PharMerica under the False Claims Act and state false claims acts in the above-captioned matter.

This Joint Stipulation of Dismissal is consistent with the terms of the Agreement. The Agreement requires that Relator dismiss with prejudice his claims as set forth in the Agreement. The Agreement is contingent on the written consent of the United States and the Qui Tam States,¹ provided such dismissal is without prejudice to the United States and the Qui Tam States.

For the foregoing reasons, the Parties respectfully request that, upon receipt of the written consent of the United States and the Qui Tam States, this Court dismiss Relator’s claims against

¹ The “Qui Tam States” include the States of Florida, Illinois, Indiana, Louisiana, Massachusetts, Michigan, New Mexico, New York, North Carolina, Tennessee, Texas, and Virginia.

PharMerica with prejudice as to Relator and without prejudice as to the United States and the Qui Tam States.

Respectfully submitted,

/s/ Patricia L. Kelly

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**COUNSEL FOR PHARMERICA
CORPORATION**

CERTIFICATE OF SERVICE

I hereby certify that on January 4, 2022, a true and correct copy of the foregoing document was filed with the Court's Electronic Case Filing System (CM/ECF), and service was made upon all persons registered in the case.

/s/ Patricia L. Kelly

Patricia L. Kelly